

Item: \_\_\_\_\_

Fiscal Impact: \_\_\_\_\_ N/A \_\_\_\_\_

Funding Source: \_\_\_\_\_ N/A \_\_\_\_\_

Account #: \_\_\_\_\_ N/A \_\_\_\_\_

Budget Opening Required: ☐

**ISSUE:**

An ordinance amending Section 7-6-305 (6) that addresses the placement and setbacks of accessory buildings in the R-1 Zones.

**SYNOPSIS:**

This ordinance would make the R-1 Zones less restrictive by allowing one accessory building (shed) to encroach into the side yard setback subject to limitations on size and height, requirements for setbacks, and material requirements.

**BACKGROUND:**

Toward the end of 2008 the City began proactive code enforcement, including building code enforcement, in several neighborhoods. As a result of these enforcement efforts, many properties were found with accessory buildings (mostly sheds) placed in side yards that did not meet the side yard setback requirements. The City Council received several complaints from residents about the setback requirements and the costs associated with having to move sheds. After a review of the issues with staff, the City Council directed staff to prepare an ordinance revision that would allow a shed to be placed on one side of a lot and that would include appropriate limitations on these sheds.

The Planning Commission did recommend approval of the proposed ordinance revision; however, staff recommends that the ordinance stay as it is currently written. The current ordinance requires side yard setbacks in order to maintain a detached single family home neighborhood. In the current ordinance, setbacks for accessory buildings in the rear yard are very flexible to encourage such buildings to be placed in the rear yard.

Staff's concern is primarily aesthetic in that single family homes should maintain a detached appearance. If the proposed ordinance revision is approved, neighboring sheds would be allowed within 2' of each other in the side yard. Such closely situated sheds would create an attached appearance rather than a detached appearance.

**RECOMMENDATION:**

The Planning Commission recommended approval to the City Council. However, staff recommends denial.

**SUBMITTED BY:**

Steve Pastorik, Long Range Planning Manager